

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	Case No. 1-10-CR-40
v.	)	
	)	Chief Judge Curtis L. Collier
MARCUS HODGES	)	

**ORDER**

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the fourteen-count Indictment (2) accept Defendant's plea of guilty to Count One of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter (Court File No. 61). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 61) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment; and
- (5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is

scheduled to take place on **Thursday, April 28, 2011 at 9:00 a.m.** before the  
Honorable Curtis L. Collier.

**SO ORDERED.**

**ENTER:**

**/s/**  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**